

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-10577

Field Staff Employees Union,

v.

American Federation of State, County and Municipal, Employees, et al

CLERK'S CERTIFICATE

I, Tony Anastas, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 1/13/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on January 26, 2005.

Tony Anastas, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 1/26/05.



Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-10577-PBS**

Field Staff Employees Union v. American
Federation of State, County and Municipal
Employees, AFL-CIO, Council 93
Assigned to: Judge Patti B. Saris
Cause: 29:185 Labor/Mgt. Relations
(Contracts)

Date Filed: 03/24/2004
Jury Demand: None
Nature of Suit: 710 Labor:
Fair Standards
Jurisdiction: Federal Question

Plaintiff

Field Staff Employees Union represented by **Alan J. McDonald**

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V.

Defendant

**American Federation
of State, County and
Municipal Employees,
AFL-CIO, Council 93**

represented by **John M Carey**
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Date Filed	#	Docket Text
03/24/2004	1	COMPLAINT against American Federation of State, County and Municipal Employees, AFL-CIO, Council 93 Filing fee: \$ 150, receipt number 54800, filed by Field Staff Employees Union.(Patch, Christine) (Entered: 03/25/2004)
03/24/2004		Summons Issued as to American Federation of State, County and Municipal Employees, AFL-CIO, Council 93. (Patch, Christine) (Entered: 03/25/2004)

03/24/2004	●	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Patch, Christine) (Entered: 03/25/2004)
04/27/2004	●2	ANSWER to Complaint by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93.(Patch, Christine) (Entered: 04/29/2004)
04/29/2004	●3	NOTICE of Scheduling Conference Scheduling Conference set for 6/10/2004 04:00 PM in Courtroom 13 before Judge Patti B. Saris. (Patch, Christine) (Entered: 05/03/2004)
06/04/2004	●4	JOINT STATEMENT re scheduling conference. (Patch, Christine) (Entered: 06/09/2004)
06/10/2004	●	ELECTRONIC Clerk's Notes for proceedings held before Judge Patti B. Saris: Scheduling Conference held on 6/10/2004. Court stays all discovery. Parties to proceed with the Motion Schedule proposed in their Joint Statement (doc. #4). (Alba, Robert) (Entered: 06/10/2004)
06/10/2004	●5	CERTIFICATION pursuant to Local Rule 16.1 by Field Staff Employees Union.(Patch, Christine) (Entered: 06/16/2004)
06/10/2004	●6	Judge Patti B. Saris : ORDER entered SCHEDULING ORDER: Plaintiff's Motion for Judgment on the Pleadings or Summary Judgment due by 8/15/2004; Defendant's opposition due by 9/15/04; Plaintiff's reply to Defendant's opposition due by 9/30/04.(Patch, Christine) (Entered: 06/17/2004)
08/12/2004	●7	MOTION for Summary Judgment and Memorandum of Reasons why Motion should be allowed by Field Staff Employees Union.(Patch, Christine) (Entered: 08/23/2004)
08/12/2004	●8	STATEMENT of Material facts as to which there is no

		genuine issue to be tried re <u>7</u> MOTION for Summary Judgment. (Patch, Christine) (Entered: 08/23/2004)
09/16/2004	● <u>9</u>	MOTION to Modify Scheduling Order by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93.(Patch, Christine) (Entered: 09/23/2004)
09/23/2004	●	Judge Patti B. Saris : Electronic ORDER entered granting <u>9</u> Motion to Modify Scheduling Order. (Patch, Christine) (Entered: 09/27/2004)
10/01/2004	● <u>10</u>	Opposition and Cross- MOTION for Summary Judgment by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93. (Patch, Christine) (Entered: 10/12/2004)
10/18/2004	● <u>12</u>	Opposition re <u>10</u> Cross-MOTION for Summary Judgment filed by Field Staff Employees Union. (Patch, Christine) (Entered: 10/21/2004)
10/19/2004	● <u>11</u>	Judge Patti B. Saris: ORDER entered REFERRING <u>7</u> MOTION for Summary Judgment filed by Field Staff Employees Union, and <u>10</u> Cross-MOTION for Summary Judgment filed by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93 to Magistrate Judge Judith G. Dein(Alba, Robert) (Entered: 10/19/2004)
10/21/2004	●	Electronic NOTICE of Hearing on [7&10] Cross MOTIONS for Summary Judgment: Motion Hearing set for 11/3/2004 03:30 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 10/21/2004)
11/03/2004	●	Electronic Clerk's Notes for proceedings held before Judge Judith G. Dein : Motion Hearing held on 11/3/2004 re <u>7</u> MOTION for Summary Judgment filed by Field Staff Employees Union, <u>10</u> MOTION for Summary Judgment filed by American Federation of State, County and Municipal Employees, AFL-CIO,

		Council 93.; Attorneys Lamond and Carey make arguments to USMJ Dein and matter is taken under advisement. (Court Reporter D.R.) (Quinn, Thomas) (Entered: 11/03/2004)
11/17/2004	<u>13</u>	Judge Judith G. Dein : ORDER entered REPORT AND RECOMMENDATIONS re <u>7</u> Plaintiff's MOTION for Summary Judgment and <u>10</u> Defendant's MOTION for Summary Judgment. Recommendation: that the Plaintiff's Motion be allowed and the Defendant's Motion denied. Objections to R&R due by 12/2/2004.(Dambrosio, Jolyne) (Entered: 11/17/2004)
11/30/2004	<u>14</u>	OBJECTION to <u>13</u> Report and Recommendations filed by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93. (Patch, Christine) (Entered: 12/08/2004)
12/15/2004		Judge Patti B. Saris : ORDER entered ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>13</u> Report and Recommendations, Action on motion: granting. "After reviewing the objections, I adopt the report and recommendation and order entry of judgment in favor of the Plaintiff."(Patch, Christine) (Entered: 12/16/2004)
12/15/2004	<u>15</u>	Judge Patti B. Saris : ORDER entered Final JUDGMENT in favor of Plaintiff against Defenant (Patch, Christine) (Entered: 12/16/2004)
12/15/2004		Civil Case Terminated. (Patch, Christine) (Entered: 12/16/2004)
01/13/2005	<u>16</u>	NOTICE OF APPEAL as to <u>15</u> Judgment by American Federation of State, County and Municipal Employees, AFL-CIO, Council 93. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm

		MUST be completed and submitted to the Court of Appeals. Appeal Record due by 2/2/2005. (Patch, Christine) (Entered: 01/25/2005)
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